

This listing of claims will replace all prior versions, and listings, of claims in the application:

**Listing of Claims:**

Claim 1. (Currently Amended) A swim cap comprising, in combination:

a first portion configured to cover at least a portion of a crown of a user's head and having a first durometer; and

a second portion formed of a flexible and stretchy material configured to conform tightly to and provide tension to keep the cap tight on a user's head, secured to the first portion and having a second durometer, the second durometer being smaller than the first durometer.

Claim 2. (Original) The swim cap of claim 1, wherein a portion of the second portion overlays the first portion.

Claim 3. (Previously Presented) The swim cap of claim 1, wherein an outer peripheral portion of the second portion has a thickness greater than a thickness of its inner portion.

Claim 4. (Original) The swim cap of claim 1, wherein the second portion entirely covers the first portion and extends beyond a peripheral edge of the first portion.

Claim 5. (Withdrawn) The swim cap of claim 1, wherein the first portion is substantially dome-shaped and the second portion has an annular shape, a peripheral edge of the first portion being secured to an inner peripheral edge of the second portion.

Claim 6. (Withdrawn) The swim cap of claim 5, wherein the peripheral edge of the first portion and the inner peripheral edge of the second portion are secured to one another in an overlapping manner.

Claim 7. (Withdrawn) The swim cap of claim 5, further comprising a flange on the peripheral edge of the first portion, and a flange on the inner peripheral edge of the second portion secured to the flange on the first portion.

Claim 8. (Withdrawn) The swim cap of claim 5, wherein the peripheral edge of the first portion is bonded to the inner peripheral edge of the second portion.

Claim 9. (Withdrawn) The swim cap of claim 1, further comprising a surface discontinuity on an exterior surface of one of the first portion and the second portion.

Claim 10. (Withdrawn) The swim cap of claim 9, wherein the surface discontinuity is found on an exterior surface of the first portion.

Claim 11. (Withdrawn) The swim cap of claim 9, wherein the surface discontinuity is found on an exterior surface of the second portion.

Claim 12. (Withdrawn) The swim cap of claim 9, wherein the surface discontinuity comprises a plurality of projections.

Claim 13. (Withdrawn) The swim cap of claim 12, wherein the plurality of projections are substantially dome-shaped.

Claim 14. (Withdrawn) The swim cap of claim 1, further comprising a flange formed on an interior surface of the second portion, a peripheral edge of the first portion positioned between the flange and the interior surface of the second portion.

Claim 15. (Withdrawn) The swim cap of claim 14, wherein the second portion is stretched over the first portion such that the first portion and second portion are resiliently secured together by the flange.

Claim 16. (Withdrawn) The swim cap of claim 9, wherein the surface discontinuity comprises a plurality of recesses.

Claim 17. (Withdrawn) The swim cap of claim 9, wherein the surface discontinuity comprises at least one projection and at least one recess.

Claim 18. (Original) The swim cap of claim 1, wherein the first portion is formed of PETg.

Claim 19. (Original) The swim cap of claim 1, wherein the first portion is formed of silicone.

Claim 20. (Original) The swim cap of claim 1, wherein the second portion is formed of silicone.

Claim 21. (Original) The swim cap of claim 1, wherein the second portion is formed of latex.

Claim 22. (Withdrawn) The swim cap of claim 1, further comprising a pair of opposed extension portions extending from a peripheral edge of the second portion, each extension portion configured to substantially cover an ear of a user.

Claim 23. (Withdrawn) The swim cap of claim 1, further comprising a chin strap on the second portion configured to extend beneath a user's chin, the chin strap having first and second ends secured to a peripheral edge of the second portion.

Claim 24. (Withdrawn) A swim cap comprising, in combination:

- a first portion configured to cover at least a portion of a crown of a user's head and having a first durometer;

- a second portion secured to the first portion and having a second durometer, the second durometer being smaller than the first durometer; and

- a surface discontinuity formed on an exterior surface of one of the first portion and second portion.

Claim 25. (Withdrawn) The swim cap of claim 24, wherein the surface discontinuity comprises a plurality of projections.

Claim 26. (Withdrawn) A swim cap comprising, in combination:

- a first portion configured to cover at least a portion of a crown of a user's head and

having a first durometer;

a second portion covering the first portion and having a second durometer, the second durometer being smaller than the first durometer, the second portion configured to be stretched over a user's head and extending beyond a peripheral edge of the first portion; and  
a plurality of projections on an exterior surface of the second portion.